

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA, )  
v. ) CR No. 05-079-S  
JOHN J. CONLEY, )  
Defendant. )

## **DECISION AND ORDER**

WILLIAM E. SMITH, United States District Judge.

For the reasons stated in open Court at the February 14, 2006 hearing, Defendant's Motion to Quash Subpoenas is DENIED as to the subpoenas issued to Oppenheimer Wolff & Donnelly L.L.P., Seyfarth Shaw L.L.P. (successor to D'Ancona & Pflaum), Jones Walker Waechter Poitevent Carrere & Denegre L.L.P., Locke Liddell & Sapp L.L.P., and Wyatt Tarrant & Combs L.L.P.<sup>1</sup> These law firms, therefore, shall produce to the Government all requested documents on or before February 17, 2006.

Defendant's Motion to Quash Subpoenas is GRANTED as to the subpoenas issued to Stone Pigman Walther Wittman L.L.C. and Davis Malm & D'Agostine P.C., subject to the following provisions<sup>2</sup>:

<sup>1</sup>For the same reasons, the Motions to Quash Subpoenas filed by Marc Joseph and Jones Walker are also DENIED.

<sup>2</sup>For the same reasons, Stone Pigman's Motion to Quash Subpoenas is also GRANTED, subject to the listed provisions. This ruling does not prevent the Government from submitting additional evidence to meet its burden that the crime-fraud exception applies.

- (1) Stone Pigman and Davis Malm shall produce all non-privileged billing records to the Government (including information such as client name, matter name, dates of service, hours, fees, and narratives to the extent they are not privileged) on or before **February 21, 2006**; and
- (2) Stone Pigman and Davis Malm shall produce to the Court one sealed copy of all other information requested in the subpoenas on or before **February 27, 2006**.

IT IS SO ORDERED.

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William E. Smith  
United States District Judge  
Dated: 2/14/06

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to the privileged information sought from Stone Pigman and Davis Malm.